



TOWN OF NORTON  
BOARD OF SELECTMEN  
MUNICIPAL CENTER,  
70 EAST MAIN STREET, NORTON, MA 02766

Telephone: (508) 285-0210 Fax: (508) 285-0297

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**Board of Selectmen  
Meeting Minutes  
January 24, 2019**

I. **Call to Order by Chairman**

The January 24, 2019 meeting of the Norton Board of Selectmen was held in the Board of Selectmen's Meeting Room and was called to order at 7:00 P.M., by Mr. Robert W. Kimball, Jr., Chairman. Member(s) present: Ms. Mary T. Steele and Mr. Michael Flaherty. Also in attendance: Mr. Michael D. Yunits, Town Manager. Also in attendance: Dr. Joseph Baeta, Superintendent of Schools along with Ms. Sheri Cohen, Ms. Kathleen Stern, Mrs. Carolyn Gallagher, and Mr. Daniel Sheedy of the School Committee.

II. **Licenses and Permits**

III. **Announcements**

IV. **Appointments/Resignations/Retirements**

- a. Appointment of Sharon Rice as the Part-Time Parks and Recreation Coordinator.

**MOTION was made by Mr. Flaherty to appoint Sharon Rice as the Part-Time Parks and Recreation Commission Coordinator. Seconded by Ms. Steele. Vote: Unanimous. MOTION CARRIES.**

Mr. Kimball requested that Ms. Rice attend the next Board of Selectmen meeting so they can meet her and talk about what she is going to be doing.

- b. Resignation of Christopher Rodrigues from the Historical Commission.

- c. Resignation of Sharon Rice from the Historical Commission.

Mr. Kimball also asked that a letter be sent out to Mr. Rodrigues and Ms. Rice thanking them for their service on the Historical Commission.

V. **Business**

A. **New Business**

***i. Trane Commercials Systems Presentation on Performance Contract.***

Mr. Leo McNeil from Trane did a presentation on the Performance Contract done at Dighton Rehoboth Regional School District to demonstrate the advantages of partaking in this process. He stated that this is a proven procurement and contracting method, which saves time and money for owners. Mr. McNeil explained that performance contracting enables building owners to use future energy savings to pay for costs of energy-saving projects, which eliminates the need to dip into capital. Trane does the designs, bids and

contracts the work out. Mr. McNeil then presented the preliminary savings estimate for Norton Public Schools, which estimated a total cost savings of \$443,091 per year.

Furthermore, there are district benefits as well, which include comprehensive range of facility upgrades and renewables; pays for project with guaranteed savings from current budget; avoid new capital expense; measurably improve quality of learning environments; green facilities (measurably reducing consumption); and sustain performance with ongoing maintenance (for up to 20 years). Also, a cost advantage to using Trane is they are able to eliminate the middle man, which saves a substantial amount of money that can be used on more improvements. Mr. McNeil exemplified this through the competing ESCO price of \$4.4 million and Trane's price of \$2.2 million, showing an overall district cost savings of \$2 million.

Mr. McNeil stated there are two ways to finance, which include a tax-exempt lease purchase (for Phases I to III) and bonds (for Phases IV and V). He explained that there were \$12.5 million in energy savings facility upgrades and renewable savings projects (HVAC, controls, lighting, solar, and biomass) for Dighton Rehoboth Regional School District and produces over \$16.5 million in guaranteed energy savings, utility rebates, and annual renewables revenues over the 20-year term. Mr. McNeil concluded his presentation by explaining the many fiscal, operational, and environmental benefits of working with Trane using Dighton Rehoboth Regional School District's data. Some examples include annual energy spending was reduced by 62%, Trane guaranteed energy savings of \$564,000 per year, over \$620,000 in utility rebates, over \$2.7 million in solar and biomass incentives from the Commonwealth of MA, systems are monitored 365 days a year 24 hours a day 7 days a week, 75% of electricity used by Dighton Rehoboth was generated on-site with clean solar power, and significant decrease in carbon footprint.

Dr. Baeta and Mr. Kimball expressed their support and excitement this opportunity for savings in energy with Trane presents. Dr. Baeta stated that he feels like they have been leaving money on the table, and pointed out that Mr. Kimball is always expressing the importance of bond rating and that TRANE would be a great opportunity in that regard.

Mr. Kimball asked with the technology constantly changing, if in 10 years from now the technology improves does Trane come in and provide the upgrades, which Mr. McNeil answered that within the 20-year contract the Town has the ability to amend that agreement for things such as this and upgrade. Ms. Cohen asked what buildings need this work, which Mr. Kimball answered realistically all town buildings (schools, Fire Department, Police Department, Town Hall, etc.). Mr. Kimball in turn explained to Mr. McNeil that the Town was in the process of building a new Town Hall and Community Center and asked if Trane would assist in this process from the ground up, which Mr. McNeil answered they could.

**MOTION was made by Ms. Steele to support exploration of the Trane performance contract. Seconded by Mr. Flaherty. Vote: Unanimous. MOTION CARRIES.**

**MOTION was made by Mr. Sheedy to adjourn the Joint Meeting and relocate to the Town Hall breakroom for open meeting at 7:45 P.M. Seconded by Ms. Stern. Vote: Unanimous. MOTION CARRIES.**

*School Committee adjourned the Joint Meeting at 7:45 P.M.*

***ii. Community Preservation Act***

Mr. Kimball stated that the Selectmen wanted to go over this with the School Committee, but they had their meeting beginning at 7:45 P.M. He suggested forming a committee (at least 5 people to be appointed) to look into this and asked that they add on their next meeting's agenda a discussion about forming a committee for the Community Preservation Act.

***iii. Electronic Message Boards with Carroll Advertising***

John Carroll and Bob Messier came before the Selectmen to discuss electronic message boards. Mr. Carroll mentioned that last time they met there were concerns about the illumination and if it would affect some of the residential abutters, but now they had more data on this. Mr. Carroll stated they put some light analysis together for the three potential locations along 495. Mr. Messier explained using the diagram presented to the Selectmen and Town Manager the amount of light that would be emitted from different angles, which they explained was minimal and shouldn't impact any residential dwellings. Mr. Kimball asked if the lighting from 750 feet can be seen, which Mr. Messier answered was a very minimal amount of light and that the photo cell at night would be taken down to 3% to 4% of what it is during the day. Mr. Kimball asked if the boards proposed would be single or double-sided, which Mr. Messier answered would be double-sided.

Mr. Richard Marcotte, resident of Norton, voiced his concerns about adding the electronic billboards. One of his concerns being the light reflecting on neighboring homes. He stated his main concern is the safety and character of the Town. Mr. Kimball replied that he would like information on safety issues from public safety. As far as the character of the Town, Mr. Kimball stated that there are plenty of things that are in Town now that were not here 30 years ago that raised the same concerns back then. Mr. Kimball asked if Daktronics had an electronic billboard in Sharon, which Mr. Carroll answered they do and pointed out that there hasn't been any impact on safety in Sharon. Mr. Carroll added that they have billboards on Route 1 and that there were no visible light emissions from the side and minimal lighting head-on. Mr. Marcotte replied that none of these examples are in residential areas and Mr. Kimball replied that the proposed locations for the ones in Norton are not in residential areas either. Mr. Marcotte asked if there is a proposal for financial arrangements, which Mr. Kimball replied they are not that far into the process.

Mr. Kimball asked how long the electronic billboards have been around, which Mr. Carroll answered was about 12 years. Mr. Yunits then asked besides Sharon and Walpole what other locations [that may not be Daktronics/Carroll Advertising] have electronic

billboards. Mr. Carroll and Mr. Messier answered that Brockton, Stoughton, and West Bridgewater are some examples of towns/cities that have electronic billboards.

Mr. Kimball asked Mr. Carroll and Mr. Messier if Mass Highway has to approve their signs, which he said they do and they are very regulated. Mr. Messier added that they are very strict on their approval in measuring the light and movement.

Mr. Silver asked if there is an emergency, such as Amber alerts, if the electronic message billboards could be used for this, which Mr. Carroll and Mr. Messier both confirmed. They further stated that in cases of emergencies they have no control over this (these alerts are automatically uploaded).

Mr. Flaherty asked what the dimensions of the electronic billboards would be. Mr. Carroll replied it would be about 14 x 48 and about 80 feet high. Mr. Kimball asked how many electronic billboards would be put up, which Mr. Carroll answered would be one maybe two.

***iv. Vote to declare the following as Surplus:***

- Water Department's 2005 Chevrolet express cut van (VIN #1GBHG31U351202855) T-9 as surplus.
- Water Department's 2010 Chevrolet Silverado 2500HD extra cab 4x4 utility body w/8' fisher plow (VIN #1GCHK49K39E138852) T-7 as surplus.
- Water Department's Rugby Dump Body 8'L x 7'W ½ cab shield without hydraulic hoist 4 loader tires Dunlop SP T9 365/70/R18 as surplus.
- Sewer Department's Generac Generator Model #90A03142-S 120/208 volts 69.3 amps@3600 rpm as surplus.

**MOTION was made by Mr. Flaherty to declare the Water Department's 2005 Chevrolet express cut van; Water Department's 2010 Chevrolet Silverado 2500 extra cab 4x4; Water Department's Rugby Dump Body; and Sewer Department's Generac Generator as surplus. Seconded by Ms. Steele. Vote: Unanimous. MOTION CARRIES.**

The Board of Selectmen did not declare the Sewer Department's (1) 55-gallon drum new unopened motor oil Citgo GEO Pacemaker 1615 15W-40 Premium High-Performance Low Ash Gas Engine Oil for medium and high-speed engine including lean burn as surplus.

***v. Discussion on the Road Widening Approval Process with Condyne Capital Partners, LLC.***

Jeffrey O'Neill, Donald O'Neill, and Mark Dibb presented on behalf of Condyne Capital Partners, LLC for the Blue Star Industrial Park and road widening process. Jeffrey

O'Neill gave an update on where they are permitting and explained that buildings 5, 4, 7, and the first retail building out front are part of Phase 1. He added that they are meeting with the Conservation Commission on January 28<sup>th</sup>. They met with the Sewer Department two weeks ago and that went well. He added that the intersection is well underway and being done with MassDOT. They also created a public access area and mentioned that there is a tenant that wants all of building 5.

Mr. Donald O'Neil, who oversees the construction of Condyne Capital Partners, LLC, continued the presentation stating that they have designed the first building, building 7, which is now 220,000 square feet. He added that they have had extensive meetings with the Fire Department and Building Commissioner. Mr. O'Neil mentioned that the drawings for building 5 have been submitted and that they estimate the building permit to be over \$250,000. He also informed the Selectmen that the pricing and GMP are done, the contractors have been selected, and they have commenced on building 4, which is another distribution warehouse. Mr. O'Neill noted that they will be staggering constructing of the buildings by 3-4 months apart and that Condyne has offered to pay for the upgrades of the fire alarm system since the Town's budget is tight. Mr. O'Neil concluded his part of the presentation by stating that they have a good two years in front of them to get these buildings up with a very time-sensitive project and emphasized that it is a great location right off of the highway.

Mark Dibb opened the discussion on the roadway project and explained that the intersection design will be a separate set of plans. He pointed out that the widening plans the Selectmen received travels along Leonard Street and past building 2 and is about 2,500 square feet. The first stretch of the project will be an intersection upgrade with a sidewalk. Mr. Dibbs noted that Condyne is maximizing as much as they can given the constraints of the project. He explained that there are wetlands they are up against, but it is a functioning drainage ditch and reassured them that there will be no major impact to wetlands. He further explained that they are planning to replace the existing stream culverts with elliptical culverts. Mr. Dibbs explained that there is an existing water line available out on Leonard Street and they are proposing a gravity sewer line from the development down to a pump station. Mr. Dibb pointed out on the plan Condyne's proposal of an overlay and stated that some electrical poles are going to have to be moved, so they will have to work with National Grid.

Mr. Kimball requested in their design of the intersection to make sure that trucks are not allowed to go down any further than the industrial park. Mr. Dibb informed Mr. Kimball that the current design already accounts for this and trucks shouldn't be able to make that turn. Mr. Dibb clarified that the widening of the road they are doing is only going to widen the road about four or five feet. Mr. Keith Silver, Highway Superintendent, noted that the street currently is only 20 feet wide and understands they need to make it wider for the trucks, but the road is in poor shape and doing an overlay that will cost about \$12,700 would only be putting a band-aid on the problem. Mr. Silver calculated that at 22 feet wide and about 2,600 feet of road, which would equate to about 6,355 square yards, if they put down 3 inches of binder and 2.5 inches on top, it would cost \$176,000 for asphalt; if reclaimed it, it would cost about \$12,700. Mr. Silver stated that for not even

\$200,000 they would have a brand new road that will last for an industrial park, which isn't much for a \$100,000,000 project. The gentlemen of Condyne stated they will take this under consideration and see what they can do to make that happen.

Ms. Steele thanked the gentlemen from Condyne for the work they have done and expressed her enthusiasm over the project. She then followed-up asking who is responsible for the road once the project is complete, to which Condyne members answered it would be the Town's responsibility. Ms. Steele replied with that being said she believes, with the heavier truck flow and traffic, they should redo the entire road with asphalt as Mr. Silver recommended rather than the overlay. Mr. Kimball agreed and also asked that they have sidewalks on both sides of the road going down the length of the road for public safety reasons even if it may infringe upon some of the wetlands. Mr. Kimball asked Mr. Yunits to write a letter to the Conservation Agent asking her to consider adding sidewalks down to where the intersection is near the last phase of the project. Mr. Silver asked if they knew when they were doing the sewer line work, which Mr. Dibb stated their goal is as early as April. Mr. Silver explained the reason he asked is because they are going out to bid in July.

**MOTION was made by Mr. Flaherty to make improvements based on the Highway Superintendent's suggestions with roadways and the sections between the roadways, recommend to Conservation to continue the sidewalks to the end of Leonard Street, and to have the Town Manager enter into a temporary Construction Access Agreement with Condyne. Seconded by Ms. Steele. Vote: Unanimous. MOTION CARRIES.**

*vi. Discussion on adding time clocks.*

Mr. Kimball explained that adding electronic time clocks is something that is going to involve unions and department heads. They could suggest coming up with a committee of 5-7 people to research companies that offer these time clocks. He explained that currently the Town still has manual time sheets that are submitted to the department head, signed off on, checked over and then processed. Electronic time clocks would enable employees to also keep track of accrued vacation and sick time. Ms. Steele asked if a committee needed to be formed or if they could just do a request for a proposal. Mr. Yunits stated that he knows the Town Accountant has been looking at a payroll system, and they have spoken with the schools and they agree that they should be on the same payroll systems. Mr. Yunits added that they are doing this now with the Police Department somewhat as a trial, so they could see how that has worked out for them. Mr. Kimball stated that the only reason for recommending a committee was to come up with ideas and companies to do this and that he thinks they should set a deadline for this [preferably before Spring Town Meeting]. Mr. Yunits stated this would be a capital item.

**B. Old Business**

*1. Discussion on Rescheduling Spring Town Meeting.*

Mr. Kimball explained that the Moderator will not be back in town from vacation until Wednesday, May 15<sup>th</sup> and asked Mr. Yunits what they need to do to resolve this. Mr. Yunits answered that the Selectmen need to vote to move the Spring

Town Meeting from May 13, 2019 to May 15, 2019 and he suggested reserving the following Monday (May 20, 2019) just in case. Mr. Yunits informed the Selectmen that town counsel is available to attend the Spring Town Meeting if it is moved to May 15<sup>th</sup>.

**MOTION was made by Ms. Steele to move the Spring Town Meeting from Monday, May 13, 2019 to Wednesday, May 15, 2019 and reserve the following Monday, May 20, 2019. Seconded by Mr. Flaherty. Vote: Unanimous. MOTION CARRIES.**

**C. Town Manager's Report**

*1. Update on the New Town Hall/Community Center.*

The Building Committee is working great with the architects and they plan on coming to one of the Selectmen meetings in February (maybe the first one) and doing a presentation on their proposal on what they're looking at for the buildings.

Mr. Kimball asked Mr. Yunits how the project is going on Elm Street. Mr. Yunits answered that it is moving along and the EPA has now agreed to removing the smoke stacks and pull the oil tanks out of the ground. Mr. Yunits explained that they are also applying for an assessment grant for any other cleanup that may have to be done there.

*2. Update on the Route 123 Project.*

Mr. Yunits stated he had a meeting that day with VHB, State Highway, Shirin Everett from KP Law, the Highway Superintendent and Department Secretary, the Interim Water/Sewer Superintendent, and the Appraiser to go over the plans again and finalize all of the timelines. He stated that things are moving forward and he hopes to have the Board of Selectmen sign-off on takings in May and go out to bid on July 27, 2019. The first phase of project is traffic signals. Mr. Kimball reminded everyone that they still have to figure out if it will be allowed to have night work done; the project timeline will go from 5 years to 3 years if night work is allowed.

3. Mr. Yunits stated that they are working on updating the internet speed at Town Hall. The computer techs. did a test at the router and the download speed was 12, which should be 100, and upload speed was 1.2, which should also be 100. Mr. Yunits stated that they met with Comcast and they are increasing the speed; currently the Town has the basic internet from when it initially came out. The computer people are looking at the switches to make sure the building can handle the speed.

**V. Selectmen's Report and Mail**

Mr. Kimball brought up an article he read at the MMA conference regarding tax exemptions on solar farms. He stated that the Town has been doing PILOT programs, but solar farms are being allowed on some private properties and some companies are coming back looking for tax exemptions. Mr. Yunits added that these people are saying that they are exempt from paying

personal property taxes and are winning this at the Appellate Tax Board. He added that because they have the PILOT in place the Town is covered, but there is one project (Hill Street solar farm) that's refused because they are going by this. Mr. Kimball asked who approves the solar projects and Mr. Yunits stated that Planning approves the project and the Assessor's Department is responsible for the PILOT Agreements. Mr. Yunits emphasized that what needs to be done is the legislatures need to look at this and change it. If the town is putting up with the facility, the town should be paid for that.

Mr. Kimball stated that they need to let the departments know at the approval process they need to come to the Selectmen first. He asked how do they get them to come to the Town first and have a PILOT Agreement in place first? Mr. Yunits reminded the Selectmen that if someone puts solar in for their own use then it is not taxable, but somehow these companies are changing this. Ms. Steele brought up the solar project proposed behind the L.G. Nourse being private, which Mr. Kimball answered is correct and is a perfect example of why they need to have regulations put into place.

VI. **Meeting Minutes**

There were no Meeting Minutes to be approved.

VIII. **Warrants**

Report of Chairman Robert W. Kimball, Jr. on the following Payroll and Invoice Warrants:

- A. Approve Payroll Warrant PR19-15, for the week ended January 12, 2019, Warrant dated January 17, 2019, in the amount of \$1,452,802.63.

**MOTION was made by Mr. Flaherty to approve Payroll Warrant PR19-15, for the week ended January 12, 2019, Warrant dated January 17, 2019, in the amount of \$1,452,802.63. Seconded by Ms. Steele. Vote: Unanimous. MOTION CARRIES.**

- B. Approve Invoice Warrant AP19-29, dated January 17, 2019, in the amount of \$225,468.91.

**MOTION was made by Mr. Flaherty to approve Invoice Warrant AP19-29, dated January 17, 2019, in the amount of \$225,468.91. Seconded by Ms. Steele. Vote: Unanimous. MOTION CARRIES.**

- C. Approve Invoice Warrant AP19-30, dated January 24, 2019, in the amount of \$2,190,537.88.

**MOTION was made by Mr. Flaherty to approve Invoice Warrant AP19-30, dated January 24, 2019, in the amount of \$2,190,537.88. Seconded by Ms. Steele. Vote: Unanimous. MOTION CARRIES.**

IX. **Other Business**

There was no other business to discuss.



X. **Next Meeting's Agenda**

The next meeting will be held on February 7, 2019.

XI. **Executive Session**

There was no need for an executive session.

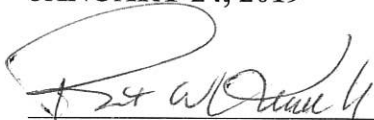
XII. **Adjournment**

**MOTION was made by Mr. Flaherty to adjourn the Board of Selectmen meeting at 9:27 P.M. Seconded by Ms. Steele. Vote: Unanimous. MOTION CARRIES.**

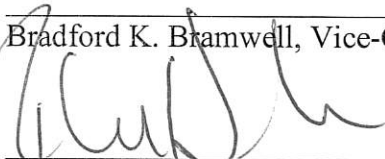
Respectfully Submitted by:

  
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Jennifer Reid, Office Administrator

**BOARD OF SELECTMEN  
MINUTES OF MEETING  
JANUARY 24, 2019**

  
\_\_\_\_\_  
Robert W. Kimball, Jr., Chairman

\_\_\_\_\_  
Bradford K. Bramwell, Vice-Chairman

  
\_\_\_\_\_  
Robert S. Salvo, Sr., Clerk

\_\_\_\_\_  
Mary T. Steele

  
\_\_\_\_\_  
Michael Flaherty

Minutes Approved by Board on: 2 / 21 / 19